

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions of claims in the application.

1. (Previously Presented): A nonaqueous electrolyte battery comprising:
 - a positive electrode (1) including a positive electrode active material layer;
 - a negative electrode (2) including a negative electrode active material layer;
 - a nonaqueous electrolyte (5) substantially constituted of only a solvent and a solute; and
 - a conducting material, contained in said positive electrode active material layer and constituted of at least one non-carbon material selected from a group consisting of nitrides, carbides and borides, having particles of at least 0.2 μm and not more than 5 μm in average diameter easily dispersed into said positive electrode active material layer, wherein
 - a positive electrode active material constituting said positive electrode active material layer has a layered rock salt structure, and
 - the filling density of said positive electrode active material layer is at least 4.0 g/ml.
2. (Cancelled).
3. (Previously Presented): The nonaqueous electrolyte battery according to claim 1, wherein said positive electrode active material having a layered rock salt structure is constituted of a material containing at least either cobalt or nickel.

4. (Previously Presented): The nonaqueous electrolyte battery according to claim 1 or 3, wherein said conducting material includes a metal nitride.

5. (Original): The nonaqueous electrolyte battery according to claim 4, wherein said metal nitride includes zirconium nitride (ZrN or Zr_3N_2).

6. (Previously Presented): The nonaqueous electrolyte battery according to claim 5, wherein said zirconium nitride constituting said conducting material is contained in said positive electrode active material layer with a content of at least 1 mass % and not more than 20 mass %.

7. (Previously Presented): The nonaqueous electrolyte battery according to claim 1 or 3, wherein said conducting material includes a metal carbide.

8. (Original): The nonaqueous electrolyte battery according to claim 7, wherein said metal carbide includes tungsten carbide.

9. (Original): The nonaqueous electrolyte battery according to claim 7, wherein said metal carbide includes tantalum carbide.

Preliminary Amendment
Attorney Docket No. 062116

10. (Original): The nonaqueous electrolyte battery according to claim 7, wherein said metal carbide includes zirconium carbide.

11. (Currently Amended): The nonaqueous electrolyte battery according to ~~any of claim 1 and claims 3 to 10~~ claim 1, further comprising a binder, contained in said positive electrode active material layer, including polymer fluoride.

12. (Original): The nonaqueous electrolyte battery according to claim 11, wherein said polymer fluoride includes polyvinylidene fluoride.

13. (Original): The nonaqueous electrolyte battery according to claim 11 or 12, wherein said positive electrode is cylindrically or angularly formed.

14. (Cancelled).

15. (Cancelled).

16. (Cancelled).

17. (Cancelled).